IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 3392 of 2006(D)

PETITIONER:

V.C.RETNAVALLY,
ASST.TEACHER, NSS UP SCHOOL,
UPPADA.

BY ADV. SMT.V.P.SEEMANDINI
SMT.LEKSHMY RAMANATHAN
SMT.K.P.GEETHA MANI

RESPONDENTS:
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1. **STATE OF KERALA,**
   REP. BY ITS SECRETARY TO GOVT.,
   GENERAL EDUCATION DEPARTMENT,
   TRIVANDRUM.

2. **THE DEPUTY DIRECTOR OF EDUCATION,**
   MALAPPURAM.

3. **THE ASST.EDUCATIONAL OFFICER,**
   NILAMPUR, MALAPPURAM DISTRICT.

4. **THE HEADMASTER,**
   NSS UP SCHOOL, UPPADA.

BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.3392/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REJECTION ORDER DT. 3.6.02 ISSUED BY THE 1ST RESPECTIVELY NO.18436/B1/02 GE.

EXT.P2:- COPY OF THE JUDGMENT IN OP. 32127/02 DT. 31.10.02.

EXT.P3:- COPY OF THE LETTER DT. 24.1.03 ISSUED BY THE 3RD RESPONDENT NO.F/430/00.

EXT.P4:- COPY OF THE JUDGMENT DT. 9.6.03 IN C.C. NO.514/03.

EXT.P5:- COPY OF THE LETTER DT. 3.11.03 ISSUED BY THE 2ND RESPONDENT NO.15/16877/00.

EXT.P6:- COPY OF THE LETTER DT. 2.12.05 ISSUED BY THE 3RD RESPONDENT NO.F/430/00.

EXT.P7:- COPY OF THE ORDER DT. 5.4.03 G.O.(P) NO.206/03/FIN.

RESPONDENTS EXHIBITS

EXT.R2(a):- COPY OF THE LETTER DT. 20.12.0=99.

EXT.R2(b):- COPY OF THE G.O.(P) NO.43/97/DT. 23.5.97.

EXT.R2(c):- COPY OF THE G.O.(P) NO.206/03 DT. 5.4.03.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P. (C). NO. 3392 OF 2006

Dated this the 15th day of June, 2007.

J U D G M E N T

It is the date of effect of re-option and not the date of making the re-option that is to be counted is the settled position as per the judgment of this Court reported in ***State of Kerala vs. Lissy Joseph*** **(2005(4) KLT SN 70)**. Therefore, I quash Exhibits P5 and P6.

2. There will be a direction to the respondents to take appropriate action in the light of the above decision, within two months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp